

#19
L/B
3/2/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 026083/0138

In re patent application of

Group Art Unit: 1616

Hans Ulrich Stilz et al.

Serial No. 08/971,960

Examiner: S. Qazi

Filed: November 17, 1997

For: 5-MEMBERED RING HETEROCYCLES AS INHIBITORS OF LEUCOCY-
ADHESION AND AS VLA-4 ANTAGONISTS

RECEIVED
RECEIVED
00 FEB 16 PM 16 FEB 18 2000
TC 1600 MAIL ROOM

RESPONSE TO RESTRICTION REQUIREMENT

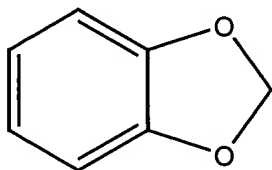
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the restriction requirement mailed Dec. 22, 1999, Applicants provisionally elect with traverse Group II (claims 21-24 and 39-103) where benzodioxarane (five membered) is the only permitted hetero ring in addition to imidazole, which is understood by applicants to cover compounds in which imidazole is the only hetero ring and compounds in which benzodioxarane (five membered) is the only hetero ring in addition to imidazole. Applicants further elect the species of example 53 (page 75 of the present specification) for prosecution on the merits within Group II.

Although it appears to applicants that Group II as defined in the Office Action does cover compounds such as that in example 53 (where the only hetero ring is imidazole), to the extent that the Examiner did not intend such a definition, then applicants request the Examiner to draw the examinable subgenus around the species of example 53 (as indicated on page 3, third paragraph, of the Office Action).

Applicants understand that "benzodioxarane (five membered)" refers to a moiety having the following structure:



In view of the above amendments and remarks, favorable reconsideration and allowance of the application are requested. In the event that any issues remain, the Examiner is invited to telephone the undersigned with any proposal that would further expedite prosecution.

Respectfully submitted,

Feb. 16, 2000
Date

Stephen B. Maebius
Stephen B. Maebius
Registration No. 35,264

FOLEY & LARDNER
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109
Telephone: (202) 672-5569